

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**DON EUGENE SIEGELMAN,  
PAUL MICHAEL HAMRICK,  
GARY MACK ROBERTS, and  
RICHARD M. SCRUSHY**

**CRIMINAL NO. 2:05-CR-119-MEF**

**UNITED STATES' PROPOSED JURY QUESTIONNAIRE QUESTIONS**

COMES NOW the United States of America, by and through Louis V. Franklin, Sr., Acting United States Attorney for the Middle District of Alabama, and Andrew C. Lourie, Acting Chief of the Public Integrity Section of the Criminal Division of the United States Department of Justice, and hereby files its Proposed Jury Questionnaire Questions (hereinafter, the "Proposed Questions"). The United States files the Proposed Questions pursuant to this Court's Scheduling Order of January 23, 2006. The United States respectfully requests the Court to include the Proposed Questions in the questionnaire sent to the prospective venire for this case. The Proposed Questions will aid the Court in selecting an impartial and fair jury in the upcoming trial.

**PROPOSED QUESTIONS**

1. The judge is going to instruct you that jurors are to make determinations of fact and are to act as judges of the facts based on what they see and hear presented in the course of a trial. When the judge instructs you that this is the law, do you agree that you will follow the instruction of the judge and then base your decisions solely on the evidence presented to you in the courtroom?  
Yes \_\_\_\_\_ No \_\_\_\_\_
2. The judge is going to instruct you that jurors are not to be influenced by anything that they see or hear outside the courtroom, such as television, newspaper, or Internet coverage or office or street talk. When the judge instructs you that this is the law, do you agree that you will follow the instruction of the judge and then base your decisions solely on the evidence presented to you in the courtroom?  
Yes \_\_\_\_\_ No \_\_\_\_\_

3. The judge is going to instruct you that some witnesses in this case may be law enforcement officers and government officials. The credibility of these witnesses is to be judged by the same standards as any other witness. Their testimony is not entitled to any greater or lesser weight simply because they are involved in law enforcement or are government officials. When the judge instructs you that this is the law, do you agree that you will follow this instruction and then base your decisions about the credibility of each witness solely on your independent assessment of that witness at trial?  
Yes \_\_\_\_\_ No \_\_\_\_\_
4. The judge is going to instruct you that you should keep an open mind and should not form or state any opinion about the case one way or the other until you have heard all of the evidence and have had the benefit of the closing arguments of the lawyers as well as the judge's instructions to you on the applicable law. When the judge instructs you that this is the law, do you agree that you will follow the instruction of the judge?  
Yes \_\_\_\_\_ No \_\_\_\_\_
5. The judge is going to instruct you that an indictment in a criminal case is merely the accusatory paper which states the charge or charges to be determined at trial, but it is not evidence against the defendants or anyone else. When the judge instructs you that this is the law, do you agree that you will follow the instruction of the judge and then base your decisions solely on the evidence presented to you in the courtroom?  
Yes \_\_\_\_\_ No \_\_\_\_\_
6. The judge is going to instruct you that the defendants have entered pleas of "not guilty" and are presumed by the law to be innocent and that the Government has the burden of proving a defendant guilty beyond a reasonable doubt, and if it fails to do so you must find that defendant not guilty. When the judge instructs you that this is the law, do you agree that you will follow the instruction of the judge?  
Yes \_\_\_\_\_ No \_\_\_\_\_
7. The judge is going to instruct you that if you are selected as a juror in this case, you must make your decisions only on the basis of the testimony and other evidence presented during the trial; and you must not be influenced in any way by either sympathy or prejudice for or against any defendant or the Government. When the judge instructs you that this is the law, do you agree that you will follow the instruction of the judge and then base your decisions solely on the evidence presented to you in the courtroom?  
Yes \_\_\_\_\_ No \_\_\_\_\_

Respectfully submitted this the 10th day of March, 2006.

LOUIS V. FRANKLIN, SR.  
ACTING UNITED STATES ATTORNEY

/s/ Louis V. Franklin, Sr.  
Acting United States Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7560  
Email: [louis.franklin@usdoj.gov](mailto:louis.franklin@usdoj.gov)

/s/ J.B. Perrine  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7135  
Email: [jb.perrine@usdoj.gov](mailto:jb.perrine@usdoj.gov)  
ASB-9077-E31J

/s/ Jennifer Garrett  
Special Assistant United States Attorney  
Assistant Attorney General  
Office the Attorney General  
11 S. Union  
Montgomery, AL 36130  
Phone: (334)353-8494  
Fax: (334)242-4890  
Email: [jgarrett@ago.state.al.us](mailto:jgarrett@ago.state.al.us)  
ASB-4600-T77J

/s/ Stephen P. Feaga  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7560  
Email: [steve.feaga@usdoj.gov](mailto:steve.feaga@usdoj.gov)  
ASB-7374A60S

ANDREW C. LOURIE  
ACTING CHIEF, PUBLIC INTEGRITY  
SECTION

/s/Richard C. Pilger  
Department of Justice, Criminal Division  
Public Integrity Section  
10<sup>th</sup> & Constitution Ave, NW  
Bond Building - 12<sup>th</sup> Floor  
Washington, DC 20530  
Phone: (202)514-1412  
Fax: (202)514-3003  
Email: [richard.pilger@usdoj.gov](mailto:richard.pilger@usdoj.gov)

/s/ Joseph L. Fitzpatrick, Jr. Special Assistant  
United States Attorney  
Assistant Attorney General  
Office of the Attorney General  
11 S. Union  
Montgomery, AL 36130  
Phone: (334)353-4839  
Fax: (334)242-4890  
Email: j.fitzpatrick@ago.al.state.us

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 10, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

LOUIS V. FRANKLIN, SR.  
ACTING UNITED STATES ATTORNEY

/s/ J.B. Perrine  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7135  
Email: [jb.perrine@usdoj.gov](mailto:jb.perrine@usdoj.gov)  
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